

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

United States of America, *ex rel.*
Teresa Ross,

Plaintiffs,

v.

Independent Health Association, et al.,

Defendants.

Civil Action No. **12-CV-0299 (WMS)**

MOTION FOR ORDER REQUIRING PAYMENT OF ATTORNEYS' FEES

PLEASE TAKE NOTICE that Relator Teresa Ross (“Relator”) hereby moves this Court, at date and time for oral argument to be determined by the Court, for an order pursuant to 31 U.S.C. § 3730(d) and Federal Rule of Civil Procedure 54(d)(2), requiring Defendants Independent Health Corporation, Independent Health Association (collectively “IH”), DxID LLC (“DxID”), and Betsy Gaffney (collectively, “Defendants” or the “IH Defendants”) to pay \$3,494,718.98 in attorneys’ fees incurred in the litigation of this action, plus additional fees and expenses incurred in litigating this motion. This motion is based upon the Memorandum of Relator Teresa Ross in Support of Motion for Order Requiring a Payment of Attorneys’ Fees, the Declarations of Stephen Hasegawa, Max Voldman, and Jeremy Friedman filed herewith (with attached exhibits), the records of this Court as cited in the Memorandum, and such matters as to which the Court may take judicial notice. Relator’s counsel met and conferred with Defendants and engaged in mediation in an attempt to settle Relator’s claim for fees, but the parties were unable to reach agreement. This motion is timely pursuant to the Court’s Order setting January 23, 2025 as the deadline for the filing of this Motion. DKT. 190. Pursuant to that Order, Defendants’ response

must be filed on or before February 20, 2025, and Relator's reply must be filed on or before March 13, 2025. Relator intends to file a reply.

Respectfully Submitted,

January 23, 2025

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CERTIFICATE OF SERVICE

I hereby certify that on January 23, 2025, I electronically filed the foregoing document with the Clerk of the District Court using its CM/ECF system, which would then electronically notify all parties of record who are CM/ECF participants on this case.

Washington, DC
January 23, 2025

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